

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DELORES MINIX,

No. C 11-03478 SI

Plaintiff,

**ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE; AND
VACATING NOVEMBER 18, 2011
HEARING**

v.

JPMORGAN CHASE BANK, N.A. et al.,

Defendants.

On July 14, 2011, plaintiff – who is represented by counsel – filed this suit in Santa Clara County Superior Court. Defendants removed this action to the Northern District of California and the matter was assigned to Judge Jeremy Fogel. On September 28, 2011, the case was re-assigned to Judge Susan Illston, located at the federal courthouse at 450 Golden Gate Avenue, San Francisco, CA 94010.

On July 22, 2011, defendants JP Morgan Chase Bank, N.A. and Mortgage Electronic Registration Systems, Inc. filed a motion to dismiss plaintiff's complaint. Plaintiff did not file a timely reply to this motion. However, because the case was re-assigned to Judge Illston, all of the matters scheduled for hearing were vacated and the parties were order to re-file their motions. On September 30, 2011, defendants JP Morgan Chase and Mortgage Electronic Registration Systems re-filed their motion to dismiss. Doc. 21. The motion is scheduled for a hearing on November 18, 2011. Pursuant to Civil Local Rule 7-3(a), plaintiff's opposition was due by October 14, 2011. Plaintiff has not yet filed an opposition, nor has she communicated in any way with the Court concerning these matters.

Plaintiff is hereby **ORDERED TO SHOW CAUSE in writing to be filed no later than November 28, 2011**, why this case should not be dismissed without prejudice for failure to prosecute.

1 *See* Fed. R. Civ. Proc. 41(b). Plaintiff is notified that an inadequate or untimely response will result in
2 dismissal. **The November 18, 2011 hearing on defendants' motion to dismiss is VACATED, and**
3 **will be rescheduled if necessary.**

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6 **IT IS SO ORDERED.**

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8 Dated: November 14, 2011



SUSAN ILLSTON
United States District Judge